

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

H. STUART CAMPBELL, JR. AS
EXECUTOR OF THE ESTATE OF
H. STUART CAMPBELL, SR.

Plaintiff

V.

TEXAS TEA RECLAMATION, LLC

Defendant.

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NO. 3:20-CV-00090

**TEXAS TEA RECLAMATION, LLC'S OBJECTIONS AND RESPONSES TO
PLAINTIFF'S FIRST REQUESTS FOR ADMISSIONS**

TO: Plaintiff, by and through his attorney of record, Kellen R. Scott, CHAMBERLAIN, HDRLICKA, WHITE, WILLIAMS & AUGHTRY, P.C. 1200 Smith Street, Suite 1400 Houston, Texas 77002.

Defendant Texas Tea Reclamation, LLC ("TTR") serves the following Objections and Responses to Plaintiff's First Requests for Admissions.

Date: June 29, 2020.

Respectfully Submitted,

MOUERHUSTON PLLC

By: /s/ Jeffrey R. Elkin

Jeffrey R. Elkin

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ATTORNEYS FOR DEFENDANT

**EXHIBIT
B-1**

CERTIFICATE OF SERVICE

I hereby certify that on June 29, 2020, a true and correct copy of the foregoing instrument was served via electronic mail on all counsel of record as follows:

Kellen R. Scott
Ryan Oliver Cantrell
CHAMBERLAIN, HRDLICKA, WHITE,
WILLIAMS & AUGHTRY, P.C.
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Kellen.scott@chamberlainlaw.com
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Attorneys for Plaintiff

/s/ Jeffrey R. Elkin

Jeffrey R. Elkin

**DEFENDANT'S RESPONSES TO
PLAINTIFF'S FIRST REQUESTS FOR ADMISSIONS**

Request for Admission No. 1: Admit Texas Tea Reclamation, LLC did not tender any payment to H. Stuart Campbell, Sr. on the Promissory Notes.

Response:

Admitted.

Request for Admission No. 2: Admit no one tendered any payment on your behalf to H. Stuart Campbell, Sr. on the Promissory Notes.

Response:

Admitted.

Request for Admission No. 3: Admit Texas Tea Reclamation, LLC did not tender any payment to H. Stuart Campbell, Jr. on the Promissory Notes.

Response:

Admitted.

Request for Admission No. 4: Admit no one tendered any payment on your behalf to H. Stuart Campbell, Jr. on the Promissory Notes.

Response:

Admitted.

Request for Admission No. 5: Admit H. Stuart Campbell, Sr. did not accept any lesser payment from you in exchange for discharging your obligations under the Promissory Notes.

Response:

Denied at this time, because Defendant believes that Plaintiff took tax losses on the notes and asked Defendant to allocate those losses to him.

Request for Admission No. 6: Admit H. Stuart Campbell, Jr. has not accepted any lesser payment from you in exchange for discharging your obligations under the Promissory Notes.

Response:

Denied at this time, because Defendant believes that Plaintiff took tax losses on the notes and asked Defendant to allocate those losses to him.

Request for Admission No. 7: Admit John E. Williams, III signed the Promissory Notes while he was in the State of Montana.

Response:

Denied that the original notes were signed in Montana; admitted that the amended notes were signed while visiting in Montana.

Request for Admission No. 8: Admit Dymra Williams signed the Promissory Notes while she was in the State of Montana.

Response:

Denied that the original notes were signed in Montana; admitted that the amended notes were signed while visiting in Montana.

Request for Admission No. 9: Admit John E. Williams, III signed the Promissory Notes on January 2, 2018.

Response:

Denied that the original notes were signed on January 2, 2018; admitted that the amended notes were signed on January 2, 2018.

Request for Admission No. 10: Admit Dymra Williams signed the Promissory Notes on January 2, 2018.

Response:

Denied that the original notes were signed on January 2, 2018; admitted that the amended notes were signed on January 2, 2018.

Request for Admission No. 11: Admit you received a copy of Plaintiff's December 12, 2019 letter from David T. Lewis with the subject "Demand for Payment of Indebtedness to the Estate of Campbell" on December 12, 2019.

Response:

Admitted.

Request for Admission No. 12: Admit you acknowledged to David T. Lewis receiving his December 12, 2019 letter with the subject "Demand for Payment of Indebtedness to the Estate of Campbell" on December 12, 2019.

Response:

Admitted.

Request for Admission No. 13: Admit you responded to Plaintiff's December 12, 2019 letter from David T. Lewis with the subject "Demand for Payment of Indebtedness to the Estate of Campbell" on January 9, 2020.

Response:

Admitted.

Request for Admission No. 14: Admit your January 9, 2020 letter to David T. Lewis was in response to Lewis's December 12, 2019 letter.

Response:

Admitted.

Request for Admission No. 15: Admit you issued a Form W-2 Wage and Tax Statement to John E. Williams, III for his services in calendar years 2015, 2016, 2017, or 2018.

Response:

Defendant objects to this request on the grounds that it is irrelevant to the cause of action and unnecessarily seeks employment and compensation information of a third-party. As a result, the request is overly broad and unduly burdensome and violates the confidentiality and privacy rights of a third-party.

Request for Admission No. 16: Admit you issued a Form W-2 Wage and Tax Statement to Dymra Williams for her services in calendar years 2015, 2016, 2017, or 2018.

Response:

Defendant objects to this request on the grounds that it is irrelevant to the cause of action and unnecessarily seeks employment and compensation information of a third-party. As a result, the request is overly broad and unduly burdensome and violates the confidentiality and privacy rights of a third-party.

Request for Admission No. 17: Admit you issued a Form 1099-MISC Miscellaneous Income to John E. Williams, III for his services in calendar years 2015, 2016, 2017, or 2018.

Response:

Defendant objects to this request on the grounds that it is irrelevant to the cause of action and unnecessarily seeks employment and compensation information of a third-party. As a result, the request is overly broad and unduly burdensome and violates the confidentiality and privacy rights of a third-party.

Request for Admission No. 18: Admit you issued a Form 1099-MISC Miscellaneous Income to Dymra Williams for her services in calendar years 2015, 2016, 2017, or 2018.

Response:

Defendant objects to this request on the grounds that it is irrelevant to the cause of action and unnecessarily seeks employment and compensation information of a third-party. As a result, the request is overly broad and unduly burdensome and violates the confidentiality and privacy rights of a third-party.

Request for Admission No. 19: Admit you paid John E. Williams, III compensation, wages, or earnings in 2014 that was in addition to the \$89,606 in guaranteed payments (Line 4) that is reflected on the Schedule K-1 that you issued to John E. Williams, III for calendar year 2014.

Response:

Defendant objects to this request on the grounds that it is irrelevant to the cause of action and unnecessarily seeks employment and compensation information of a third-party. As a result, the request is overly broad and unduly burdensome and violates the confidentiality and privacy rights of a third-party.

Request for Admission No. 20: Admit you paid John E. Williams, III compensation, wages, or earnings in 2015 that was in addition to the \$165,000 in guaranteed payments (Line 4) that is reflected on the Schedule K-1 that you issued to John E. Williams, III for calendar year 2015.

Response:

Defendant objects to this request on the grounds that it is irrelevant to the cause of action and unnecessarily seeks employment and compensation information of a third-party. As a result, the request is overly broad and unduly burdensome and violates the confidentiality and privacy rights of a third-party.

Request for Admission No. 21: Admit you paid John E. Williams, III compensation, wages, or earnings in 2016 that was in addition to the \$180,000 in guaranteed payments (Line 4) that is reflected on the Schedule K-1 that you issued to John E. Williams, III for calendar year 2016.

Response:

Defendant objects to this request on the grounds that it is irrelevant to the cause of action and unnecessarily seeks employment and compensation information of a third-party. As a result, the request is overly broad and unduly burdensome and violates the confidentiality and privacy rights of a third-party.

Request for Admission No. 22: Admit you paid John E. Williams, III compensation, wages, or earnings in 2017 that was in addition to the \$180,000 in guaranteed payments (Line 4) that is reflected on the Schedule K-1 that you issued to John E. Williams, III for calendar year 2017.

Response:

Defendant objects to this request on the grounds that it is irrelevant to the cause of action and unnecessarily seeks employment and compensation information of a third-party. As a result, the request is overly broad and unduly burdensome and violates the confidentiality and privacy rights of a third-party.

Request for Admission No. 23: Admit you paid John E. Williams, III compensation, wages, or earnings in 2018 that was in addition to the \$83,465 in guaranteed payments (Line 4) that is reflected on the Schedule K-1 that you issued to John E. Williams, III for calendar year 2018.

Response:

Defendant objects to this request on the grounds that it is irrelevant to the cause of action and unnecessarily seeks employment and compensation information of a third-party. As a result, the request is overly broad and unduly burdensome and violates the confidentiality and privacy rights of a third-party.

Request for Admission No. 24: Admit you paid Dymra Williams compensation, wages, or earnings in 2014 that was in addition to the \$73,981 in guaranteed payments (Line 4) that is reflected on the Schedule K-1 that you issued to Dymra Williams for calendar year 2014.

Response:

Defendant objects to this request on the grounds that it is irrelevant to the cause of action and unnecessarily seeks employment and compensation information of a third-party. As a result, the request is overly broad and unduly burdensome and violates the confidentiality and privacy rights of a third-party.

Request for Admission No. 25: Admit you paid Dymra Williams compensation, wages, or earnings in 2015 that was in addition to the \$165,000 in guaranteed payments (Line 4) that is reflected on the Schedule K-1 that you issued to Dymra Williams for calendar year 2015.

Response:

Defendant objects to this request on the grounds that it is irrelevant to the cause of action and unnecessarily seeks employment and compensation information of a third-party. As a result, the request is overly broad and unduly burdensome and violates the confidentiality and privacy rights of a third-party.

Request for Admission No. 26: Admit you paid Dymra Williams compensation, wages, or earnings in 2016 that was in addition to the \$150,000 in guaranteed payments (Line 4) that is reflected on the Schedule K-1 that you issued to Dymra Williams for calendar year 2016.

Response:

Defendant objects to this request on the grounds that it is irrelevant to the cause of action and unnecessarily seeks employment and compensation information of a third-party. As a result, the request is overly broad and unduly burdensome and violates the confidentiality and privacy rights of a third-party.

Request for Admission No. 27: Admit you paid Dymra Williams compensation, wages, or earnings in 2017 that was in addition to the \$150,000 in guaranteed payments (Line 4) that is reflected on the Schedule K-1 that you issued to Dymra Williams for calendar year 2017.

Response:

Defendant objects to this request on the grounds that it is irrelevant to the cause of action and unnecessarily seeks employment and compensation information of a third-party. As a result, the request is overly broad and unduly burdensome and violates the confidentiality and privacy rights of a third-party.

Request for Admission No. 28: Admit you paid Dymra Williams compensation, wages, or earnings in 2018 that was in addition to the \$64,466 in guaranteed payments (Line 4) that is reflected on the Schedule K-1 that you issued to Dymra Williams for calendar year 2018.

Response:

Defendant objects to this request on the grounds that it is irrelevant to the cause of action and unnecessarily seeks employment and compensation information of a third-party. As a result, the request is overly broad and unduly burdensome and violates the confidentiality and privacy rights of a third-party.